

REMARKS**I. Pro Se Request For Constructive Assistance**

If, for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP §707.07(j) in order that this application can be placed in allowable condition as soon as possible and without need for further proceedings.

II. Rejection of Claims 54-62 Under 35 U.S.C. §102(e) as being anticipated by Wong

Examiner cites Wong col 4, lines 1-20 regarding second and third step of Claim 54. This passage teaches two points. The first relates to how a change in subscription file is detected (e.g., detection of a change in file size of a subscription file) and the second relates to when the subscription file is checked for changes (e.g., the subscription file is checked for changes only when the current time is equal to or greater than the time last checked plus the check interval.)

There are several distinctions to be made between Wong and Applicant present invention. First, Wong refers to detection of changes to an existing subscription file whereas Applicant refers to detection of newly published files. Wong and Applicant differ on how a polling start time is determined. Wong teaches checking for changes by adding a check interval to the last time checked. Applicant points out variations in publish time shown in Fig. 6a. For instance, history of published file times shows a variance of several hours for a newly published file (e.g., a file might be released as early as 10am or as late 1pm in a given day). If a file was released 1pm the first week and 10am the second week, the method of Wong would only first try to detect a change at 1pm in the second week which is inefficient because there is no mechanism in place to detect the change 3 hours earlier at 10am. Applicant teaches accounting for such time variations in order to determine an earlier starting time to have detected the 10am file release. Additionally, Wong relies on a user defining the check interval (equiv to Applicant publish interval) or obtaining check interval through database. Though Wong fails to teach how a check interval can automatically be determined by measuring publication times of at least two previously published files.

The proposed amended Claim 54 and new Claim 64 more clearly make this distinction over Wong. Applicant teaches how to determine when and how often a network resource is monitored based on analyzing prior date and time history of other files accessible from the network resource that have

been previously released into the public domain thereby minimizing the amount of resources used to monitor for new files entering into the public domain at a later date.

III. Notice of References Cited, PTO-892

Applicant has carefully reviewed the references cited but not applied. Applicant respectfully submits that none of those references, alone or in any combination, remedy the deficiencies of the applied art, nor teach or suggest the claimed invention alone or in any combination.


IV. Conclusion

For all of the above reasons, the present application and pending claims 54-71, as amended, are believed to be in condition for allowance. Applicant respectfully requests the Examiner to issue a formal Notice of Allowance directed to claims 54-71, inclusive.

Should the Examiner believe that telephone correspondence would be helpful to expedite favorable prosecution, the Examiner is invited to contact the Applicant at the telephone number listed below.

Respectfully submitted,

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Eric Schneider

pro se Applicant

13938A Cedar Road #258

University Heights, Ohio 44118

(216) 231-2400 - telephone